

the Vernacular School Leaving examination would be had on a much less pay. The post of a constable. If they would accept it, criticised as a useless appendage serving them. Head constables are generally promoted from the ranks of constables. Prosecutors as anomalous. Control over the cases prosecuted by literate men who have turned out good work that witnesses were of no use as the constables.

As regards the Magistrate's court at Tiruvananthapuram. He suggested, therefore, that after very great and careful consideration that Government should consider the Head Sirkar Vakil or their posts no stipendiary Magistrate's court was necessary at consider that decision. We must wait and see the decision of the Government, which was made only recently. Prosecutors, might be dispensed with.

44. **The necessity for a criminal court and buildings** recruited with better discrimination a fair qualification of literacy and Mr. P. N. Narayana Pillai (Member, Municipal Council, Kayankulam) stated that the number of cases filed in the Kayankulam Police station of the Member was that the to be properly handled by one person, the number of Police might be directed to pay of the current year being as high as 620, and that there were larger opportunities to the people the remotest parts of its jurisdiction was inconceivable to deal rigorously with any lapse of could be located at Mavelikara with jurisdiction that come to their knowledge.

Mavelikara, Kartikapalli and Karunagapalli taluqs in regard to the reorganisation of the Magistrate's courts which cannot be disposed of mitigate the hardships of the people and give relief to the people of the retrenchment and re-organise the Magistrate's courts. The next said that provision should be made for magisterial buildings. The opinions differ. the dying declaration of hospital patients and such other series of very serious statements for the transfer of the appellate jurisdiction over the Police force. You have of the Police force. You have sub judice, to two cases of commission by the sub-magistrate, Trivandrum.

As regards the location of public offices in the Criminal Procedure Code which were that both the local Munsiffs' courts were held in ill-ventilated particular instances mentioned healthy corner of the town, causing inconvenience to the public and even to the public and delay in the transactions of the treasury. He also pointed out that the local Police station was housed in a thatched building, while the Magistrate's court was located at a place to which all sections of the public could not have equal access. He referred also to the lack of accommodation for the bench, the bar and the public in the courts and prayed that the Munsiffs' courts might be housed in the Training School and the latter shifted to, and located at the Putiakavu school building nearing completion.

Dewan's reply.—The matter of appellate jurisdiction was raised at the last Assembly also. I do not remember what has become of that representation. If you had given me notice that you were going to speak about this subject, I would have looked into the matter. I did not.

As regards building for the Munsiffs' courts, new buildings are, no doubt, necessary. I inspected the present building myself. Accommodation was insufficient, but the building was not ill-ventilated. The construction of buildings means money and we have to arrange the works in the order of urgency and works which are more urgent must be given precedence.

You say that the Kayankulam Magistrate has too much work to do. I have received no complaint in that matter. The District Magistrate has more than once examined his work. You say that 620 cases were filed in the first quarter of the current year. Some of these cases might have been transferred to other courts; and several others may be compoundable. After all 620 cases in a quarter do not represent very heavy work. I have known the work of Magistrates for the last 30 years. A good many more than half the number of these cases—are generally compounded or withdrawn.

In regard to jurisdiction, there is no use in going back on what the Government have done with so much consideration.

* 45. **Administration of the Police Department.**

Mr. V. Sankara Pillai (Member, Municipal Council, Neyyattinkara) after making a preliminary reference to the important part which the Police Department played in the administrative machinery of the State, brought to notice some of

uring their tours, confidential enquiries regarding the department both in its relation to the public Member also requested that, in view of the station to the outposts of Valankara and Malla, the unsatisfactory conduct of the Police in their the places now under the jurisdiction of the Aff, for instance, a case of murder was reported, charging station might be opened at some centigation and prepared the inquest report assisted of Tiruvalla, the adjoining places being brought constables, often disappeared from the scene,

With reference to the Tiruvalla taluk, investigation to the head constable. Further, there was a Second Class Magistrate there d of innocent people, threatened them with arrest practice to post a First Class Magistrate to that them to the lock-up if they made bold to ary Second Class Magistrate's Court had been lamented that, even when the real culprit was the redistribution of Revenue and Magisterial, that he was not ill-treated while in custody. In and a Bench Court was established with it Member alleged that cases were investigated and alone. The Member prayed that the Stationasses who had no idea of the occurrence and that in ferred from Chengannur to Tiruvalla or that and reports were recorded *after* and not *before* the place. If that was not possible, the Division be shifted to Tiruvalla.

Dewan's reply.—You did not give tion of persons in custody for more than 24 hours. say, and so I cannot give you a full reply. case of one Kamalakshi of Pangappara as an instance District Magistrates sending out program sent practice of the Police was to arrest and keep in they are expected to send out their program the provisions of law, persons suspected as evil-doers certain whether it would be possible for the or more days without any mention of it in the records, I will issue a circular asking them to issues of the power of arrest were being most flagrantly whenever possible. ssed and poor classes who, even if they lodged a com-

In regard to your suggestion that th unable to adduce sufficient evidence in support of their their tours about the work of Magistrates, tie Police. The tampering of the records by the Police couraged. Confidential enquiries as to whis believed the complainant and in many cases lashed would produce very undesirable results. gnation and awarded compensation.

often ed to the existing system of recording confessions and The Member then abuse of work that the abuse of power of the Police was observed that it was in that sphere a criminal in Police custody was being forced most transparent. He described how at the hands of the Police and how to make a confession with a view to escape torture if that fear. The fact that in he retracted that confession as soon as he was relieved by the Police the accused the majority of serious offences investigated and choice, by the Sessions Courts were acquitted, mostly on grounds of insufficient c cation of the lack of effici- and the High Court, was, the Member observed, a sure Member also referred to ency in the investigation of such cases by the Police. at which the Police charged two cases, thrown out by Trivandrum Town Magistrate no for petty nuisance persons against whom they bore a g sed a

The next point touched upon by the Member was responsibility of the Police towards the public. He said that the Police were faithful in their duty towards the public, as was evidenced from the Administration Reports, that Police help crease in crimes, that the public had lost confidence in the Police and the powerful, was never sought by the poor and the oppressed against the strating their use- and that the Police were thus losing many opportunities for del, in the Member's fulness. The security sections of the Criminal Procedure Code each cases charged opinion, another handle to the Police for public oppression. T complained that, by the Police were recently thrown out by the magistracy. He uring witnesses in addition to the manifold difficulties of private complainants impen from justice, against the Police, the department itself tried its best to screenfield ope of getting with the result that the poor were left to themselves withoute fromble exceptions their grievances redressed. No doubt, there were very many e puband even con- also and there were many instances of the officers of the depar servi stables, discharging their duties with efficiency and integrity. usual

Passing on to the administrative side, the Member sub always at the present policy of recruiting an overpaid Police Commissioner from th e passe Service might

be discontinued, as equally efficient local men could be had on a much less pay. The post of Assistant Superintendents of Police was criticised as a useless appendage serving no practical purpose, and that of Prosecuting Inspectors as anomalous. Prosecuting Inspectors, the Member asserted, had no control over the cases prosecuted by them and their flying visits for examining a few witnesses were of no use as the conduct of those cases remained with the local Inspectors. He suggested, therefore, that the Prosecuting Inspectors might be placed under the Head Sirkar Vakil or their posts abolished.

The Member then suggested that the sanction of the Government, which was at present insisted on for the prosecution of Inspectors, might be dispensed with. He urged the necessity for the Police force being recruited with better discrimination from men of status and respectability, possessing a fair qualification of literacy and an ordinary sense of responsibility. The last suggestion of the Member was that the Commissioner and the District Superintendents of Police might be directed to pay surprise visits to all the stations with a view to give larger opportunities to the people to bring their grievances before them and also to deal rigorously with any lapse of duty on the part of the subordinate Police that might come to their knowledge.

Dewan's reply.—You have made many suggestions in regard to the reorganisation of the Police Department. These are matters which cannot be disposed of lightly and without careful consideration. In the matter of the retrenchment and reorganisation of the department I may tell you that opinions differ.

The rest of your discourse is taken up with a series of very serious statements made against the work, the conduct and the character of the Police force. You have referred to the case of one Kamalakshi which is still *sub judice*, to two cases of complaints brought by Police constables and thrown out by the sub-magistrate, Trivandrum, and to two cases under Section 90 of the Criminal Procedure Code which were thrown out by the magistracy. These are the only particular instances mentioned by you in support of the serious charges you have made and even these require examination. You also charge Magistrates with a mentality which favours Police prosecutions. I am not prepared to give you any reply on this point, without previous notice which you have not given me. I must obtain the remarks of the Commissioner of Police on the allegations you have made. They must be treated with the seriousness which they deserve.

IV. PRODUCTION.

AGRICULTURE, INDUSTRIES AND CO-OPERATION.

46. Some needs and difficulties of the agriculturists of the Kalkulam taluk.

Mr. Aiyappan Pillai Matevan Pillai (Member, Kalkulam Taluk) began by requesting that irrigational facilities might be afforded to the people of the Kalkulam taluk for the cultivation of lands not commanded by the Kodayar channels. He observed that the water of those channels was not available for cultivation for the major portion of the Kalkulam taluk. Further, Government did not devote their attention to the maintenance of minor irrigational works; and in the Attur *pakuthi* nothing had been done towards the maintenance of such works during the last 28 years. At the time of the construction of the Pachippara dam it was the intention of the Government to open several channels to irrigate the outlying parts of the Kalkulam taluk, but that intention did not materialise. He, therefore, requested that those canals might be constructed and tanks dug in places where canals could not be opened.

The second point urged by the Member was the necessity for the construction of ryots' roads. The Member specifically referred to the following works in that connection:—

(1) The repair and maintenance of an old road in Perinchilampu in the Kalkulam taluk which would be of great use to the agriculturists of those and the neighbouring villages. The Chief Engineer was fully aware of the need for that road